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C O N F I D E N T I A L SECTION 01 OF 02 ABUJA 002617

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DOE FOR CAROLYN GAY

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TAGS: [PTER](#) [PGOV](#) [NI](#)

SUBJECT: NIGERIA: COUNTERTERRORISM WORKING GROUP & PROSPECT  
FOR CT BILL IN 2008

Classified By: Acting Political Counselor Heather Merritt for reasons 1  
.4. (b & d).

¶1. (C) SUMMARY: American, British, Canadian and Australian political officers in Abuja have formed a counterterrorism (CT) working group to press the GON to pass CT legislation in 2008. Nigerian leaders have expressed interest in resubmitting CT legislation, perhaps based on a Commonwealth model CT bill. Passage hinges on support from northern senators who must perceive the bill as even handed and not directed at Muslims. Concurrent submission of the United Nations Conventions on Terrorism for ratification could deflect criticisms that the legislation is either anti-Muslim and/or U.S. driven. END SUMMARY.

¶2. (C) On December 18, POL Counselor, PolOff and INL Off met with PolOffs from the British, Canadian, and Australian High Commissions to establish an informal counterterrorism (CT) working group as an offshoot of the larger G8 Counter-Terrorism Action Group (CTAG). The British and Canadians suggested forming the subgroup due to concerns that the Japanese, whose turn it is to chair the G8 and hence CTAG, were neither focused on nor proactive with regards to terrorism. It was decided that a smaller group of concerned and like-minded missions might be better able to coordinate efforts to press the Government of Nigeria to pass counterterrorism legislation.

¶3. (C) Embassy PolOff told the group that Nigerian Deputy Senate Majority Leader Victor Ndoma-Egba (PDP, Cross River) recently told him that it was time to reintroduce and pass terrorism specific legislation. PolOff also recounted to the group a discussion he had with Ben Ndi Obi, a former Senator and the running mate of Atiku Abubakar on the Action Congress ticket in the 2007 presidential race. Obi introduced the 2005 terrorism bill in the National Assembly, but he told Poloff that, as the primary sponsor, he had withdrawn the legislation the day of its second reading in the Senate, because he had learned of the concerted opposition of a group of northern senators who felt the bill was anti-Muslim and vowed to defeat it. Senator Obi decided that it was better to withdraw the bill and reconsider it at a later date than to have it be voted down in the Assembly. According to Obi, the key to passing CT legislation will be to convince at least one northern senator that the bill is not anti-Muslim, and ask that senator to bring other northerners on board. Obi was critical of the current crop of northern senators and could not immediately suggest any that would be open to

supporting CT legislation. Nevertheless, Obi was happy to learn that his legislation (apparently the original bill bore his name, or at least was referred to by most as "his" bill) might soon gain a new lease on life. He also expressed a willingness to lobby behind the scenes for its passage, particularly with select northern senators.

¶4. (C) Embassy PolCouns noted the existence of model CT legislation that was circulated in 2003 by the Commonwealth, based on Australian law, as well as its greater suitability to the Nigerian legal system. Canadian PolOff undertook to get a copy of the Commonwealth model bill and to approach the French about joining the CT working group. In addition, it was resolved that the British PolOff would approach the Dutch and Germans about participating in future CT working group sessions.

¶5. (C) COMMENT: Both the leadership in the National Assembly and the Yar'Adua Administration seem to realize the necessity of passing counterterrorism legislation, though they recognize that challenging regional politics are involved. Subsequent to the meeting, the Nigerian Attorney General told the British PolOff that he intended to reintroduce the CT legislation "soon." Post believes that we must tread cautiously when discussing CT legislation with the GON, as bills which could be branded by opponents as "American" or spun as "foisted on the GON by the USG" are not likely to pass. Our proposed way forward is to discreetly encourage leaders in the National Assembly to reconsider and pass the 2005 terrorism bill, or a version of the Commonwealth model bill. We will also raise with the working group other approaches on this issue, such as connecting it to President Yar'Adua's overall focus on peace and security, as highlighted in his Seven Point Plan. In addition, we will

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urge the Assembly to concurrently ratify the United Nations Terrorism Conventions, particularly the March 10, 1988 "Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation" and the "Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf," as a way to affirm the President's and the Assembly's commitment to the rule of law throughout the country. Addressing attacks against oil platforms and ships in the Delta at the same time and on an equal basis as any potential extremism in the north may help mitigate the regional and religious suspicions which doomed the previous terrorism legislation to failure. END COMMENT.  
SANDERS